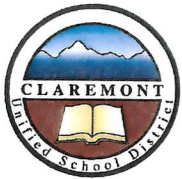


# Claremont Unified School District



*Inspiring Students of Today, Leaders of Tomorrow!*

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(909) 398-0691 FAX (909) 398-0690  
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District Superintendent  
James Elsasser, Ed. D.

Board of Education  
Nancy Treser Osgood, President  
David S. Nemer, Vice President  
Steven Llanusa, Clerk  
Beth Bingham, D. Min, Member  
Hilary LaConte, Member

August 5, 2016

Dean C. Logan, Registrar of Voters  
County of Los Angeles Registrar of  
Voters  
12400 Imperial Highway  
Norwalk, CA 90650

Lori Glasgow, Executive Officer/ Clerk of the  
Board, Board of Supervisors, Los Angeles  
County  
500 W. Temple Street  
Los Angeles, CA 90012

**ADOPTED**  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

79 September 6, 2016

*Lori Glasgow*  
LORI GLASGOW  
EXECUTIVE OFFICER

Re: Claremont Unified School District November 8, 2016 Bond Measure Election

Enclosed please find the Claremont Unified School District Board of Education RESOLUTION #02-2017 "RESOLUTION OF THE BOARD OF EDUCATION OF THE CLAREMONT UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER" adopted on August 4, 2016 calling for a November 8, 2016 local bond election.

Also enclosed is our Tax Rate Statement.

We expect Exhibit B to be printed in its entirety in each sample ballot/voter pamphlet.

By this letter we are formally requesting to review a proof of the ballot statement language, the full text of the ballot proposition, impartial analysis and ballot arguments that would appear in the voter pamphlet prior to publishing. Please direct this proof to the undersigned as soon as it is available.

We believe that Education Code Section 15122.5 is not applicable and we request that the County not include the following "State Matching Funds" language in the ballot or voter pamphlet:

"Approval of Measure \_\_\_\_\_ does not guarantee that the proposed project or projects in the Claremont Unified School District that are the subject of bonds under Measure \_\_\_\_\_ will be funded beyond the local revenues generated by Measure \_\_\_\_\_. The district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."

We would be more than happy to provide you with the resolution electronically in order to facilitate your work, or to assist with this process in any other manner.

This letter also authorizes you to contact David Casnocha of Stradling Yocca Carlson & Rauth, our bond counsel, at (415) 283-2241 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "J Elsasser".

Jim Elsasser, Ed. D.  
Superintendent

Enclosure

cc: David G. Casnocha

## RESOLUTION #02-2017

### RESOLUTION OF THE BOARD OF EDUCATION OF THE CLAREMONT UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

**WHEREAS**, the Board of Education (the "Board") of the Claremont Unified School District (the "District") has determined that school facilities within the District need to be acquired, constructed, improved, and equipped in a fiscally prudent manner to enable District to provide a quality 21<sup>st</sup> Century education for its students; and

**WHEREAS**, the Board believes that, in order to improve the quality of education, and provide safe and healthy learning environments for students, basic repairs to our schools continue to be needed, including repairing and upgrading classrooms and other learning environments, refurbishing pools, locker rooms, and gymnasium, replacing and refurbishing deteriorating roofs, electrical and heating/ventilation/air conditioning, replacing portable classrooms with modular classrooms, and making more energy efficient aging classrooms and facilities; and

**WHEREAS**, the State of California (the "State") is not providing the District with enough funding for the District to adequately maintain its educational facilities and academic programs; and

**WHEREAS**, the Board has concluded that the District's only remedy to avoid undermining its educational programs is to secure local funding that the State cannot take away; and

**WHEREAS**, the Board has received information regarding the possibility of a local bond measure and its bonding capacity; and

**WHEREAS**, a local measure will help provide funds that cannot be taken away by the State to upgrade schools, protect student safety, and help the District to qualify for State matching funds; and

**WHEREAS**, the Board and District have solicited stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders; and

**WHEREAS**, the Board determines that all funds from this measure shall be controlled locally, and be subject to mandatory taxpayer protections, including an independent citizens' oversight committee and audits to ensure funds are spent properly; and

**WHEREAS**, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold for *ad valorem* tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

**WHEREAS**, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Education Code Section 15264 (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

**WHEREAS**, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight that are contained in Proposition 39 and the Act; and

**WHEREAS**, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities; and

**WHEREAS**, the Board hereby determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or other operating expenses of the District shall be monitored strictly by the District's Citizens' Oversight Committee; and

**WHEREAS**, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

**WHEREAS**, Elections Code Section 9400 *et seq.* requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

**WHEREAS**, the Board desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

**WHEREAS**, pursuant to the Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 8, 2016, and to request the Los Angeles County Registrar of Voters to perform certain election services for the District;

**NOW THEREFORE, THE BOARD OF EDUCATION OF THE CLAREMONT UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.* (including Sections 15300 *et seq.*), 15264 *et seq.*, and Government Code Section 53506, hereby requests the Los Angeles County Registrar of Voters to conduct an election under the provisions of the Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$58,000,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the purposes described in Exhibit A hereto.

Section 2. That the date of the election shall be November 8, 2016.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A", incorporated by reference herein, and containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In

compliance with Proposition 39 and the Act, the ballot propositions in Exhibit "A" and "B" are subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall be used only for the purposes set forth in the ballot measure and not for any other purpose, including teacher or administrator salaries or pension or other school operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit "B", evaluated the safety, class size reduction, classroom, educational, and information technology within the District, as well as the importance of the projects to student achievement and high quality instruction;

(c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in Exhibit "B" hereto;

(d) that the Board shall cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) that the Board will cause the appointment of a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274. The Citizens' Oversight Committee shall consist of at least seven (7) members and at no time consist of less than seven (7) members, with the possible exception of brief periods to fill any unexpected vacancies. The Citizens' Oversight Committee may not include any employee or official of the District or any vendor, contractor or consultant of the District. The Citizens' Oversight Committee shall include all of the following: One (1) member who is active in a business organization representing the business community located within the District; One (1) member who is active in a senior citizens' organization; One (1) member who is active in a bona fide taxpayer association; One (1) member who is a parent of a child in the District schools; One (1) member who is both a parent of a child in the District schools and active in a school site council or Parent Faculty Association. In furtherance of its specifically enumerated purposes, the Citizens' Oversight Committee may engage in any of the following activities relating solely and exclusively to the expenditure of the Proposition 39 bond proceeds:

(i) Inspect District facilities and grounds to ensure that Proposition 39 bond proceeds are expended in compliance with applicable law;

(ii) Receive and review copies of all deferred maintenance proposals or plans developed by the District;

(iii) Review efforts of the District to maximize Proposition 39 bond revenues by implementing cost-saving programs;

(iv) Receive and review copies of the annual, independent financial and performance audits performed by independent consultant(s);

(v) Receive from the Board, within three months of the District receiving the above-described audits, responses to any and all findings, recommendations, and concerns addressed in said audits, and review said responses; and

(f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limits per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Education Code Section 5322.

Section 6. That the Los Angeles County Registrar of Voters and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 8, 2016, within the District. Pursuant to Elections Code Section 10403 the Board acknowledges that the consolidation election will be held and conducted in the manner prescribed in Elections Code Section 10408.

Section 7. That the Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the Los Angeles County Registrar of Voters no later than August 12, 2016.

Section 8. That any Bonds issued pursuant to Education Code Section 15264 *et seq.* hereto or pursuant to Government Code Section 53506. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass of the returns of the election be made by anybody or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal arguments, as appropriate, to be filed with the Los Angeles County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Education Code Section 5303 and Elections Code Section 10002, the Board of Supervisors of Los Angeles County is requested to permit the Registrar of Voters to render all services specified by Elections Code Section 10418 relating to the election, for which services the District agrees to reimburse Los Angeles County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Elections Code Section 9401) pursuant to the terms of Education Code Section 5363 and Elections Code Section 12112.

STATE OF CALIFORNIA )  
 )ss  
LOS ANGELES COUNTY )

I, Dr. James Elsasser, do hereby certify that the foregoing is a true and correct copy of Resolution # 02-2017, which was duly adopted by the Board of Education of the Claremont Unified School District at the meeting thereof held on the 4<sup>th</sup> day of August, 2016, and that it was so adopted by the following vote:

AYES: 5

NOES: 0

ABSENT:

ABSTENTIONS:

By J Elsasser  
Secretary

## EXHIBIT A

"To repair, upgrade and make more energy efficient aging classrooms and facilities with funding that cannot be taken by the State, repair deteriorating roofs, heating, air conditioning and electrical systems, and repair, construct, acquire, and upgrade classrooms, sites, facilities and equipment, refurbish pools, locker rooms, and gymnasium, shall Claremont Unified School District issue \$58,000,000 in bonds at legal rates, with independent financial audits, citizen oversight, no money for administrator and teacher salaries, and all money staying local?"

Bonds – Yes

Bonds – No



## EXHIBIT B

### FULL TEXT BALLOT PROPOSITION OF THE CLAREMONT UNIFIED SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 8, 2016

The following is the full proposition presented to the voters by the Claremont Unified School District.

"To repair, upgrade and make more energy efficient aging classrooms and facilities with funding that cannot be taken by the State, repair deteriorating roofs, heating, air conditioning and electrical systems, and repair, construct, acquire, and upgrade classrooms, sites, facilities and equipment, refurbish pools, locker rooms, and gymnasium, shall Claremont Unified School District issue \$58,000,000 in bonds at legal rates, with independent financial audits, citizen oversight, no money for administrator and teacher salaries, and all money staying local?"

### PROJECT LIST

The Board of Education of the Claremont Unified School District is committed to improving the quality of education and student learning environment, and upgrading facilities for energy conservation or to increase use of renewable energy sources in its award winning local schools, to provide our community with safe, secure and upgraded classrooms which keep pace with 21<sup>st</sup> Century learning standards. To that end, in developing the scope of projects to be funded, the Board evaluated the District's urgent and critical facility needs, including safety issues, class size, and computer and information technology. The District conducted a facilities evaluation and received public input in developing this Project List, and further determined to upgrade facilities and not to use bond proceeds to purchase any technology equipment. Teachers, staff, community members and the Board have prioritized key health and safety projects so that the most critical facility needs are addressed.

#### **Basic School Repair and Upgrade Projects**

- Repair and upgrade classrooms and other learning environments
- Replace deteriorating portable classrooms with modular classrooms
- Refurbish pools, locker rooms, and gymnasium
- Replace and refurbish deteriorating roofs
- Replace outdated and inefficient heating, ventilation and air-conditioning systems
- Upgrade electrical systems

\* \* \*

The listed projects will be completed as needed. Each project is assumed to include its share of architectural, engineering, and similar planning costs, program/project management, furniture, equipment, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, the reduction or retirement of interim or bridge funding incurred to advance fund projects from the Project List; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects. In addition to the projects listed above, the repair and renovation of each of the existing school facilities may include, but not be limited to, some or all of the following: repair and replace heating/boiler, plumbing, gas, water/sewer, drainage and ventilation systems; renovate student and staff restrooms; acquire facilities for educational purposes; improve outdoor learning spaces and shade structures; upgrade of facilities for energy conservation or to increase use of renewable energy sources; replace and refurbish worn-out roofs; repair and replace windows, walls, doors, doorframes and drinking fountains; improve school facilities for disability access; install or upgrade wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; upgrade or construct classrooms and support facilities, including physical education facilities (including gym, pools and locker rooms), music building, student center, kitchens and food prep facilities; repair and replace deteriorating asphalt, fire alarms, emergency communications, intercoms, public announcement, energy management systems (EMS), and security systems; improve or expand parking and traffic circulation flow; interior and exterior painting and floor covering; construct various forms of storage and support spaces; upgrade classrooms; repair, upgrade or install interior and exterior lighting systems; replace outdated security fences and security systems. The allocation of bond proceeds will be affected by the final costs of each project. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. The allocation of bond proceeds may be affected by the final costs of each project. The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/ restoration or geological stabilization may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects.

Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

**FISCAL ACCOUNTABILITY:** IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF EDUCATION WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON DISTRICT PROJECTS AND FOR NO OTHER PURPOSE. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

**NO ADMINISTRATOR SALARIES:** PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.

### **BOND ISSUANCE LIMITS**

**This measure has strict limits on the issuance of bonds including:**

1. Bonds must be phased in over time so that project success can be determined before more bonds are issued.
2. Bonds must have a term not longer than the useful life of the projects or equipment being financed.
3. The availability of State matching funds shall be considered in selecting projects.
4. No capital appreciation bonds shall be issued.

## **Tax Rate Statement In Connection With Claremont Unified School District**


An election will be held in the Claremont Unified School District (the "District") on November 8, 2016, on the question of issuing bonds in the principal amount of \$58,000,000 to finance improvements to the District's facilities as described in the bond measure. If the bonds are approved, the District expects to sell the bonds in several series beginning in 2017. Principal and interest on the bonds will be paid from taxes levied on taxable property in the District. The following tax rate information is given to comply with Sections 9400-9404 of the Elections Code of the State of California.

Based on estimated assessed valuations available at the time of filing of this statement:

1. The best estimate of the tax rate that would be required to be levied to fund the bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$0.0295 per \$100 (\$29.50 per \$100,000) of assessed valuation in fiscal year 2017/18.
2. The best estimate of the tax rate that would be required to be levied to fund the bond issue during the first fiscal year after the last sale of the bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$0.0453 per \$100 (\$45.30 per \$100,000) of assessed valuation in fiscal year 2023/24.
3. The best estimate of the highest tax rate that would be required to be levied to fund the bond issue, based on estimated assessed valuations available at the time of filing this statement, is \$0.0453 per \$100 (\$45.30 per \$100,000) of assessed valuation in fiscal year 2023/24.
4. The best estimate of the total bond debt service, including principal and interest, which would be required to be repaid, if all the bonds are issued and sold, based on interest rate information along with assessed valuations available at the time of the election and taking into account the estimated future growth is \$105,000,000.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the number of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The date of sale and the number of bonds sold at any given time will be determined by the District based on its need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of sale. Actual future assessed valuations will depend upon the amount and value of taxable property within the District as determined by the Los Angeles County Assessor in the annual assessment and the equalization process. Accordingly, the actual tax rates and the years in which such rates are applicable may vary from those presently estimated as above stated.

Dated: August 5, 2016

  
\_\_\_\_\_  
Superintendent of the  
Claremont Unified School District